

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WILLIAM D. MCCULLOUGH, SR.)	JUDGE PAUL R. MATIA
)	
Petitioner)	CASE NO. 3:04CV7673
)	
-vs-)	
)	<u>ORDER OF DISMISSAL</u>
KELLEH KONTEH, WARDEN)	
)	
Respondent)	

Pursuant to this Court's Memorandum of Opinion
and Order filed contemporaneously with this Order of Dismissal,

It is ordered that the Petition for Writ of
Habeas Corpus is denied. The action is dismissed.

The Court certifies, pursuant to 28 U.S.C.
§ 1915(a)(3), that an appeal from this decision could not be
taken in good faith, and that there is no basis upon which to
issue a certificate of appealability. 28 U.S.C. § 2253(c);
Fed. R. App. P. 22(b).

IT IS SO ORDERED.

Date: May 31, 2005.

/s/ Paul R. Matia

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

A copy of this Order of Dismissal was filed electronically this 31st day of May, 2005. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. A copy of the Order of Dismissal was also sent by United States mail on May 31, 2005 to William D. McCullough, Sr., #420784, Toledo Correctional Institution, 2001 Central Avenue, East, Toledo, Ohio 43608.

/s/ Paul R. Matia
UNITED STATES DISTRICT JUDGE